

NOTICE OF EMERGENCY RULE PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

PROMULGATION: DMR Regulation 95.04 ZZ Closed Area No. 39-H, Northern Morgan Bay, Surry

TEXT OF RULE: DMR Regulation 95.04 ZZ, Closed Area No. 39-H, Northern Morgan Bay, Surry

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of northern Morgan Bay inside (north) of a line that starts at the mouth of Smelt Brook, Surry, and extends due east to a red painted post on the opposite shore. This area is classified restricted and requires a special MDMR permit.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: January 13, 2004

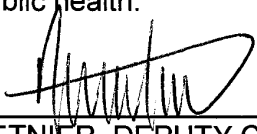
AGENCY CONTACT PERSON: Amy M. Fitzpatrick
Department of Marine Resources
McKown Point Road
West Boothbay Harbor, Maine 04575

BANGOR DAILY NEWS
January 16, 2004

STATEMENT OF FACT AND POLICY

As authorized by 12 M.R.S.A. Sections 6172 and 6192, the Commissioner of the Maine Department of Marine Resources promulgates emergency DMR regulation 95.04 ZZ, Closed Area 39-H, Northern Morgan Bay, Surry. This new regulation classifies northern Morgan Bay in the Town of Surry as restricted and requires a special MDMR permit.

Department personnel have determined that northern Morgan Bay is subject to intermittent microbiological pollution and the unrestricted harvesting of clams, quahogs, oysters, and mussels, in these waters poses a threat to public health.



DAVID ETNIER, DEPUTY COMMISSIONER



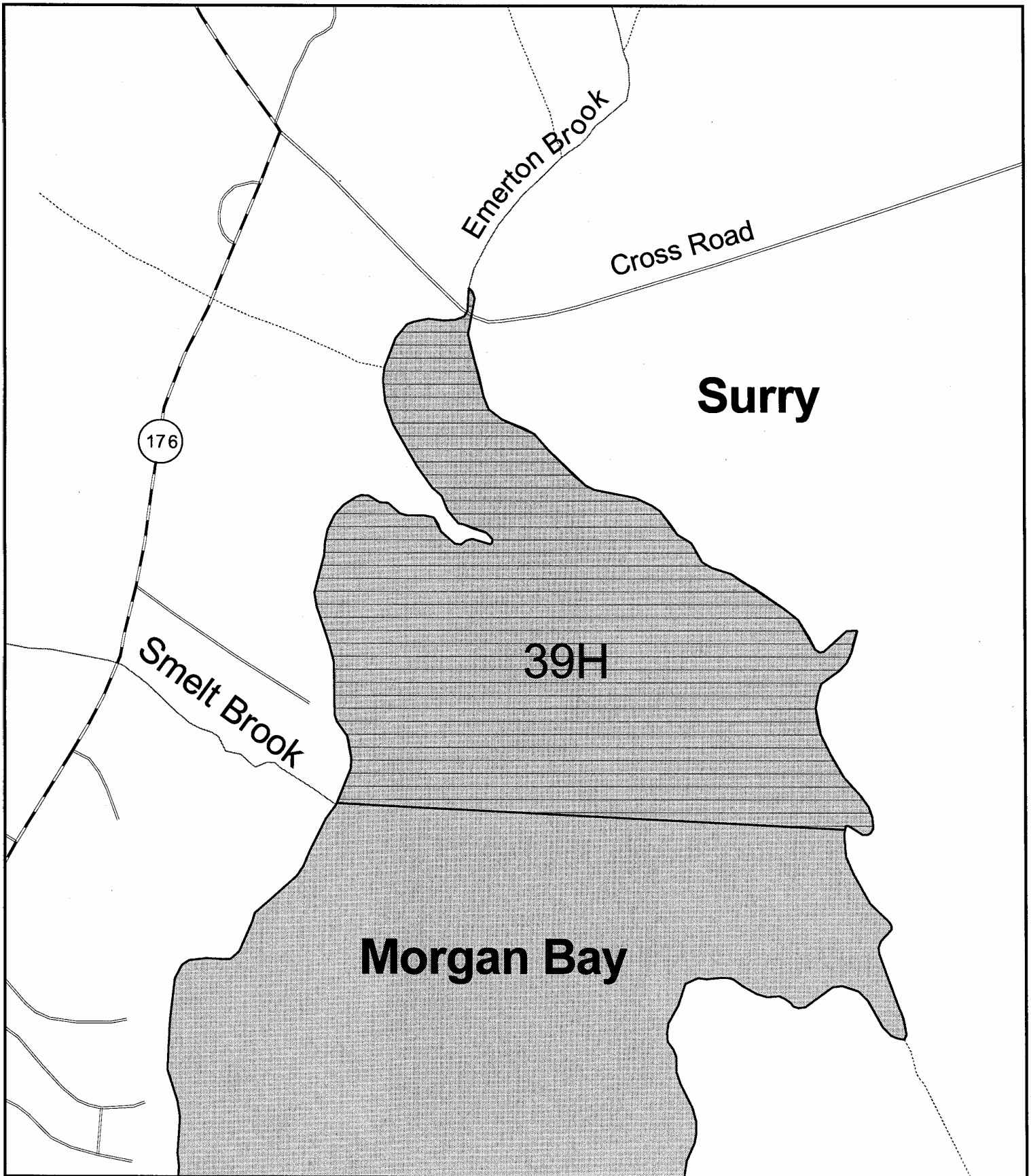
Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

For: Surry

C39-H Northern Morgan Bay

01/13/04



500 0 500 Yards

